

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA §
§
v. § No. 3:07-CR-186-P
§
HERBERT JENA (01) § **ECF**

GOVERNMENT'S SECOND AMENDED EXHIBIT LIST

The United States Attorney for the Northern District of Texas, by and through the undersigned Assistant United States Attorney, files the Government's Second Amended Exhibit List, in the above-captioned case.

Exhibit	Description	Offered	Admitted
1	IRS Form 8633, Application to Participate in the IRS e-file program, submitted by Herbert Jena on 12-7-04 , in the business name Greaterman's Tax Services, Inc. , 7825 Heathrow Drive, Irving, Texas - approved EFIN # 754196		
2	IRS Form 8633, Application to Participate in the IRS e-file program, submitted by Herbert Jena on 12-8-04 , in the business name Garland Road Tax Service, Inc. , 4900 Haverwood Lane, Dallas, Texas - approved EFIN # 754201		
3	IRS Form 8633, Application to Participate in the IRS e-file program, submitted by Herbert Jena on 12-8-04 , in the business name Montfort Tax Services, Inc. , 4319 Rosemeade Parkway, Dallas, Texas - approved EFIN # 754205		

Exhibit	Description	Offered	Admitted
4	IRS Form 8633, Application to Participate in the IRS e-file program, submitted by Herbert Jena on 12-7-04 , in the business name Jackson Hubbert Tax Service, Inc. , 2747 Irving Boulevard, Dallas, Texas - approved EFIN # 754234		
5	IRS Form 8633, Application to Participate in the IRS e-file program, submitted by Herbert Jena on 12-7-04 , in the business name Frankfort Tax Services, Inc. , 1264 West Spring Valley Road, Texas - approved EFIN # 754257		
6	Certificate of Ownership filed with Dallas County on 12-20-04 , by owner Herbert Jena , 4500 Pear Ridge Drive, Apt. 128, Dallas, Texas, 75287, for Montfort Tax Service (dba)		
7	Certificate of Ownership filed with Dallas County on 4-22-05 , by owner Herbert Jena , 4500 Pear Ridge Drive, Apt. 128, Dallas, Texas, 75287, for Montfort Tax Service, Wireless and Gift Shop (dba)		
8	Certificate of Ownership filed with Dallas County on 6-2-06 , by owner Herbert Jena , 4500 Pear Ridge Drive, Apt. 128, Dallas, Texas, 75287, for Radio Sharp Wireless, 2636 Frankford Road (dba)		
9	IRS computer print-out, showing e-file application information, submitted by Herbert Jena on 9-8-06 , in the legal name of Herbert Jena, 4500 Pear Ridge Drive, #128, Dallas, Texas, 75287 - approved EFIN # 757644		
10	IRS computer print-out, showing e-file application information, submitted by Herbert Jena on 9-19-06 , in the legal name of Herbert Jena, 4500 Pear Ridge Drive, #128, Dallas, Texas, 75287 - approved EFIN # 757654		
11	IRS computer print-out, showing e-file application information, submitted by Herbert Jena on 9-19-06 , in the legal name of Herbert Jena, 4500 Pear Ridge Drive, #128, Dallas, Texas, 75287 - approved EFIN # 757656		

Exhibit	Description	Offered	Admitted
12	IRS computer print-out, showing e-file application information, submitted by Herbert Jena on 10-3-06 , in the legal name of Herbert Jena, 4500 Pear Ridge Drive, #128, Dallas, Texas, 75287 - approved EFIN # 757854		
13	IRS computer print-out, showing e-file application information, submitted by Herbert Jena on 10-16-06 , in the legal name of Herbert Jena, 4500 Pear Ridge Drive, #128, Dallas, Texas, 75287 - approved EFIN # 758278		
14	IRS computer print-out, showing e-file application information, submitted by Herbert Jena on 12-27-06 , in the legal name of Herbert Jena, 4500 Pear Ridge Drive, #128, Dallas, Texas, 75287 - approved EFIN # 800250		
15	IRS computer print-out, showing e-file application information, submitted by Herbert Jena on 12-28-06 , in the legal name of Herbert Jena, 4500 Pear Ridge Drive, #128, Dallas, Texas, 75287 - approved EFIN # 800266		
16	IRS computer print-out, showing e-file application information, submitted by Herbert Jena on 12-28-06 , in the legal name of Herbert Jena, 4500 Pear Ridge Drive, #128, Dallas, Texas, 75287 - approved EFIN # 800267		
17	IRS computer print-out, showing e-file application information, submitted by Herbert Jena on 1-2-07 , in the legal name of Herbert Jena, Rancho Palisades, 4500 Pear Ridge Drive, Dallas, Texas, 75287 - approved EFIN # 800275		
18	IRS computer print-out, showing e-file application information, submitted by Herbert Jena on 1-2-07 , in the legal name of Herbert Jena, Rancho Palisades, 4500 Pear Ridge Drive, Dallas, Texas, 75287 - approved EFIN # 800276		
19	IRS certified record - showing EIN # assigned to Jena and used by Montfort Tax Service to file 35 tax returns for tax year 2006		

Exhibit	Description	Offered	Admitted
20	Taxwise Call Log - showing phone contacts and discussion of various problems between Taxwise and employees of Jena's tax service businesses during the period 2004-2007		
21	Montfort Tax Services - Advertising Flyer "Get Your Cash FAST - start 12-29-06"		
22	SBBT record showing Schedule of Tax Related Fees paid by SBBT to Jackson Hubbert Tax Service (EFIN # 754196) covering period 11-1-06 through 12-31-07 - total fees paid \$27,928.39		
23	SBBT record showing Schedule of Tax Related Fees paid by SBBT to Jackson Hubbert (EFIN # 754201) covering period 11-1-06 through 12-31-07 - total fees paid \$28,632.10		
24	SBBT record showing Schedule of Tax Related Fees paid by SBBT to Jackson Hubbert (EFIN # 754205) covering period 11-1-06 through 12-31-07 - total fees paid \$149,374.00		
25	SBBT record showing Schedule of Tax Related Fees paid by SBBT to Jackson Hubbert Tax Service (EFIN # 754234) covering period 11-1-06 through 12-31-07 - total fees paid \$24,007.20		
26	SBBT record showing Schedule of Tax Related Fees paid by SBBT to Jackson Hubbert Tax Service (EFIN # 754257) covering period 11-1-06 through 12-31-07 - total fees paid \$37,204.00		
27	SBBT record showing Schedule of Tax Related Fees paid by SBBT to Herbert Jena (EFIN # 757644) covering period 11-1-06 through 12-31-07 - total fees paid \$108,247.00		

Exhibit	Description	Offered	Admitted
28	SBBT record showing Schedule of Tax Related Fees paid by SBBT to Jackson Hubbert Tax Service (EFIN # 800250) covering period 11-1-06 through 12-31-07 - total fees paid \$33,890.00		
29	SBBT record showing Schedule of Tax Related Fees paid by SBBT to Montfort Tax Services (EFIN # 800266) covering period 11-1-06 through 12-31-07 - total fees paid \$105,429.00		
30	SBBT record showing Schedule of Tax Related Fees paid by SBBT to Montfort Tax Services (EFIN # 800267) covering period 11-1-06 through 12-31-07 - total fees paid \$44,972.44		
31	SBBT record showing Schedule of Tax Related Fees paid by SBBT to Herbert Jena (EFIN # 800275) covering period 11-1-06 through 12-31-07 - total fees paid \$20,113.00		
32	SBBT record showing Schedule of Tax Related Fees paid by SBBT to Montfort Tax Services (EFIN # 800276) covering period 11-1-06 through 12-31-07 - total fees paid \$19,766.00		
33	HSBC record showing Schedule of Tax Related Fees paid by HSBC to EFIN # 754201 covering period 1-1-07 through 3-7-07 total fees paid \$2,610.00		
34	HSBC record showing Schedule of Tax Related Fees paid by HSBC to EFIN # 754205 covering period 1-1-07 through 3-7-07 total fees paid \$8,528.00		
35	HSBC record showing Schedule of Tax Related Fees paid by HSBC to EFIN # 754234 covering period 1-1-07 through 3-7-07 total fees paid \$490.00		

Exhibit	Description	Offered	Admitted
36	HSBC record showing Schedule of Tax Related Fees paid by HSBC to EFIN # 754257 covering period 1-1-07 through 3-7-07 total fees paid \$1,685.00		
37	HSBC record showing Schedule of Tax Related Fees paid by HSBC to EFIN # 757654 covering period 1-1-07 through 3-7-07 total fees paid \$8,342.00		
38	HSBC record showing Schedule of Tax Related Fees paid by HSBC to EFIN # 757656 covering period 1-1-07 through 3-7-07 total fees paid \$22,322.00		
39	HSBC record showing Schedule of Tax Related Fees paid by HSBC to EFIN # 757854 covering period 1-1-07 through 3-7-07 total fees paid \$3,784.00		
40	HSBC record showing Schedule of Tax Related Fees paid by HSBC to EFIN # 758278 covering period 1-1-07 through 3-7-07 total fees paid \$2,202.00		
41	IRS CD - contains all tax information for tax year 2006 maintained in IRS files related to defendant Jena's tax businesses [Count 1]		
42	Electronically Filed IRS Form 1040 for taxpayer Dominique Gie (D.G.) for tax year 2006 - including forms 4136 (fuel claim) and 8913 (phone claim) [Count 2]		
43	IRS transcript for taxpayer Dominique Gie (D.G.) confirming that electronically filed Form 1040 for tax year 2006 was received by IRS [Count 2]		

Exhibit	Description	Offered	Admitted
44	Client File, maintained by Montfort Wireless Tax Service, with various documents related to taxpayer Dominique Gie (D.G.), including Form 1040 for tax year 2006 signed by taxpayer and preparer/defendant Herbert Jena [Count 2]		
45	Client File, provided by Montfort Wireless Tax Service to taxpayer Dominique Gie (D.G.), with various documents related to taxpayer including Form 1040 for tax year 2006 signed by taxpayer and preparer/defendant Herbert Jena [Count 2]		
46	Electronically Filed IRS Form 1040 for taxpayer Jacqueline Gie (J.G.) for tax year 2006 - including forms 4136 (fuel claim) and 8913 (phone claim) [Count 3]		
47	IRS transcript for taxpayer Jacqueline Gie (J.G.) confirming that electronically filed Form 1040 for tax year 2006 was received by IRS [Count 3]		
48	Client File, maintained by Montfort Wireless Tax Service, with various documents related to taxpayer Jacqueline Gie (J.G.), including Form 1040 for tax year 2006 signed by taxpayer and preparer/defendant Herbert Jena [Count 3]		
49	Client File, provided by Montfort Wireless Tax Service to taxpayer Jacqueline Gie (J.G.), with various documents related to taxpayer including Form 1040 for tax year 2006 signed by taxpayer and preparer/defendant Herbert Jena [Count 3]		
50	Electronically Filed IRS Form 1040 for taxpayer Jessica Jackson (J.J.) for tax year 2006 - including forms 4136 (fuel claim) and 8913 (phone claim) [Count 4]		

Exhibit	Description	Offered	Admitted
51	IRS transcript for taxpayer Jessica Jackson (J.J.) confirming that electronically filed Form 1040 for tax year 2006 was received by IRS [Count 4]		
52	Client File maintained by Montfort Wireless Tax Service, with various documents related to taxpayer Jessica Jackson (J.J.), including Form 1040 for tax year 2006 signed by taxpayer and preparer/defendant Herbert Jena [Count 4]		
53	Electronically Filed IRS Form 1040 for taxpayer Kelly Dilts (K.D.) for tax year 2006 - including forms 4136 (fuel claim) and 8913 (phone claim) [Count 5]		
54	IRS transcript for taxpayer Kelly Dilts (K.D.) confirming that electronically filed Form 1040 for tax year 2006 was received by IRS [Count 5]		
55	Client File maintained by Montfort Wireless Tax Service, with various documents related to taxpayer Kelly Dilts (K.D.), including Form 1040 for tax year 2006 signed by taxpayer and preparer/defendant Herbert Jena [Count 5]		
56	Electronically Filed IRS Form 1040 for taxpayer Sandra Hernandez (S.H.) for tax year 2006 - including forms 4136 (fuel claim) and 8913 (phone claim) [Count 6]		
57	IRS transcript for taxpayer Sandra Hernandez (S.H.) confirming that electronically filed Form 1040 for tax year 2006 was received by IRS [Count 6]		
58	Client File maintained by Montfort Wireless Tax Service, with various documents related to taxpayer Sandra Hernandez (S.H.), including Form 1040 for tax year 2006 signed by taxpayer and preparer/defendant Herbert Jena [Count 6]		

Exhibit	Description	Offered	Admitted
59	Electronically Filed IRS Form 1040 for taxpayer Herbert Jena for tax year 2006 - including form 4136 on which Jena claimed 55,000 gallons of gasoline for “off highway business use” for a \$10,065 fuel tax credit [Count 7]		
60	IRS transcript for taxpayer Herbert Jena confirming that electronically filed Form 1040 for tax year 2006 was received by IRS [Count 7]		
61	Electronically Filed IRS Form 1040 for taxpayer Herbert Jena for tax year 2005 - including form 4136 on which Jena claimed 16,000 gallons of gasoline for “off highway business use” for a \$2,936 fuel tax credit		
62	IRS transcript for taxpayer Herbert Jena confirming that electronically filed Form 1040 for tax year 2005 was received by IRS		
63	Agreement between Herbert Jena and Santa Barbara Bank and Trust (SBBT) - which authorized Jena to make refund anticipation loans from SBBT to taxpayers who are expected to receive IRS tax refunds [Counts 8-25]		
64	Signature card, Wachovia Bank - dated 2-15-06, account Montfort Tax Service Wireless (South Freeway Office), 5625 Alpha Rd, Dallas, Texas, account # 20000-1920-0019 , only defendant Herbert Jena (owner) is listed on this signature card during the period from 2-15-06 through 2-14-07.		
65	Signature card, Wachovia Bank - dated 2-15-06, account Montfort Tax Service Wireless (Rosedale), 5625 Alpha Rd, Dallas, Texas, account # 20000-1920-0022 , only defendant Herbert Jena (owner) is listed on this signature card during the period from 2-15-06 through 2-14-07.		

Exhibit	Description	Offered	Admitted
66	Certificate of Proof of FDIC Insured Status - for Pacific Capital Bank, National Association, Santa Barbara, California which also conducts financial transactions with FDIC insured funds under the name Santa Barbara Bank and Trust, Santa Barbara, California		
67	SBBT records showing IRS Form 8453 and IRS Form 1040 submitted to SBBT relating to taxpayer Espereanza Ramirez (E.R.) with a false IRS Form W-2 and other false information [Count 8]		
68	IRS transcript for taxpayer Espereanza Ramirez (E.R.) confirming that electronically filed Form 1040 for tax year 2006 was received by IRS [Count 8]		
69	SBBT record - "Inquiry Screen" for taxpayer Espereanza Ramirez showing SBBT approved Jena's issuance of SBBT loan check payable to Ramirez in amount of \$7,865.05 [Count 8]		
70	SBBT check for \$7,865.05 dated 1-28-07 in connection with refund anticipation loan by SBBT to taxpayer Espereanza Ramirez - check stamped deposited on 1-29-07 into Wachovia Bank account # 20000-1920-0019 [Count 8]		
71	SBBT records showing IRS Form 8453 and IRS Form 1040 submitted to SBBT relating to taxpayer Reynaldo Zuniga (R.Z.) with a false IRS Form W-2 and other false information [Count 9]		
72	IRS transcript for taxpayer Reynaldo Zuniga confirming that electronically filed Form 1040 for tax year 2006 was received by IRS [Count 9]		
73	SBBT record - "Inquiry Screen" for taxpayer Reynaldo Zuniga showing SBBT approved Jena's issuance of SBBT loan check payable to Zuniga in amount of \$6,280.05 [Count 9]		

Exhibit	Description	Offered	Admitted
74	<p>SBBT check for \$6,280.05 dated 1-28-07 in connection with refund anticipation loan by SBBT to taxpayer Reynaldo Zuniga - check stamped deposited on 1-29-07 into Wachovia Bank account # 20000-1920-0019 [Count 9]</p>		
75	<p>SBBT records showing IRS Form 8453 and IRS Form 1040 submitted to SBBT relating to taxpayer Laura Ramirez (L.R.) with a false IRS Form W-2 and other false information [Count 10]</p>		
76	<p>IRS transcript for taxpayer Laura Ramirez confirming that electronically filed Form 1040 for tax year 2006 was received by IRS [Count 10]</p>		
77	<p>SBBT record - “Inquiry Screen” for taxpayer Laura Ramirez showing SBBT approved Jena’s issuance of SBBT loan check payable to Ramirez in amount of \$6,329.05 [Count 10]</p>		
78	<p>SBBT check for \$6,329.05 dated 1-28-07 in connection with refund anticipation loan by SBBT to taxpayer Laura Ramirez - check stamped deposited on 1-29-07 into Wachovia Bank account # 20000-1920-0022 [Count 10]</p>		
79	<p>SBBT records showing IRS Form 8453 and IRS Form 1040 submitted to SBBT relating to taxpayer Isrrael Martinez (I.M.) with a false IRS Form W-2 and other false information [Count 11]</p>		
80	<p>IRS transcript for taxpayer Isrrael Martinez confirming that electronically filed Form 1040 for tax year 2006 was received by IRS [Count 11]</p>		
81	<p>SBBT record - “Inquiry Screen” for taxpayer Isrrael Martinez showing SBBT approved Jena’s issuance of SBBT loan check payable to Martinez in amount of \$8,743.05 [Count 11]</p>		

Exhibit	Description	Offered	Admitted
82	SBBT check for \$8,743.05 dated 1-29-07 in connection with refund anticipation loan by SBBT to taxpayer Isrrael Martinez - check stamped deposited on 1-30-07 into Wachovia Bank account # 20000-1920-0019 [Count 11]		
83	SBBT records showing IRS Form 8453 and IRS Form 1040 submitted to SBBT relating to taxpayer Luis Mendoza (L.M.) with a false IRS Form W-2 and other false information [Count 12]		
84	IRS transcript for taxpayer Luis Mendoza confirming that electronically filed Form 1040 for tax year 2006 was received by IRS [Count 12]		
85	SBBT record - "Inquiry Screen" for taxpayer Luis Mendoza showing SBBT approved Jena's issuance of SBBT loan check payable to Mendoza in amount of \$8,228.05 [Count 12]		
86	SBBT check for \$8,228.05 dated 1-29-07 in connection with refund anticipation loan by SBBT to taxpayer Luis Mendoza - check stamped deposited on 1-31-07 into Wachovia Bank account # 20000-1920-0019 [Count 12]		
87	SBBT records showing IRS Form 8453 and IRS Form 1040 submitted to SBBT relating to taxpayer Placida Serrano (P.S.) with a false IRS Form W-2 and other false information [Count 13]		
88	IRS transcript for taxpayer Placida Serrano confirming that electronically filed Form 1040 for tax year 2006 was received by IRS [Count 13]		
89	SBBT record - "Inquiry Screen" for taxpayer Placida Serrano showing SBBT approved Jena's issuance of SBBT loan check payable to Serrano in amount of \$8,797.05 [Count 13]		

Exhibit	Description	Offered	Admitted
90	<p>SBBT check for \$8,797.05 dated 1-29-07 in connection with refund anticipation loan by SBBT to taxpayer Placido Serrano - check stamped deposited on 1-29-07 into Wachovia Bank account # 20000-1920-0022 [Count 13]</p>		
91	<p>SBBT records showing IRS Form 8453 and IRS Form 1040 submitted to SBBT relating to taxpayer Felicita Calderon (F.C.) with a false IRS Form W-2 and other false information [Count 14]</p>		
92	<p>IRS transcript for taxpayer Felicita Calderon confirming that electronically filed Form 1040 for tax year 2006 was received by IRS [Count 14]</p>		
93	<p>SBBT record - “Inquiry Screen” for taxpayer Felicita Calderon showing SBBT approved Jena’s issuance of SBBT loan check payable to Calderon in amount of \$8,908.05 [Count 14]</p>		
94	<p>SBBT check for \$8,908.05 dated 1-29-07 in connection with refund anticipation loan by SBBT to taxpayer Felicita Calderon - check stamped deposited on 1-31-07 into Wachovia Bank account # 20000-1920-0022 [Count 14]</p>		
95	<p>SBBT records showing IRS Form 8453 and IRS Form 1040 submitted to SBBT relating to taxpayer Nancy Ochoa (N.O.) with a false IRS Form W-2 and other false information [Count 15]</p>		
96	<p>IRS transcript for taxpayer Nancy Ochoa confirming that electronically filed Form 1040 for tax year 2006 was received by IRS [Count 15]</p>		
97	<p>SBBT record - “Inquiry Screen” for taxpayer Nancy Ochoa showing SBBT approved Jena’s issuance of SBBT loan check payable to Ochoa in amount of \$8,732.05 [Count 15]</p>		

Exhibit	Description	Offered	Admitted
98	<p>SBBT check for \$8,732.05 dated 1-30-07 in connection with refund anticipation loan by SBBT to taxpayer Nancy Ochoa - check stamped deposited on 1-30-07 into Wachovia Bank account # 20000-1920-0019 [Count 15]</p>		
99	<p>SBBT records showing IRS Form 8453 and IRS Form 1040 submitted to SBBT relating to taxpayer Jorge De Leon (J.D.) with a false IRS Form W-2 and other false information [Count 16]</p>		
100	<p>IRS transcript for taxpayer Jorge De Leon confirming that electronically filed Form 1040 for tax year 2006 was received by IRS [Count 16]</p>		
101	<p>SBBT record - “Inquiry Screen” for taxpayer Jorge De Leon showing SBBT approved Jena’s issuance of SBBT loan check payable to De Leon in amount of \$9,296.05 [Count 16]</p>		
102	<p>SBBT check for \$9,296.05 dated 1-30-07 in connection with refund anticipation loan by SBBT to taxpayer Jorge De Leon - check stamped deposited on 1-30-07 into Wachovia Bank account # 20000-1920-0019 [Count 16]</p>		
103	<p>SBBT records showing IRS Form 8453 and IRS Form 1040 submitted to SBBT relating to taxpayer Maria Santos (M.S.) with a false IRS Form W-2 and other false information [Count 17]</p>		
104	<p>IRS transcript for taxpayer Maria Santos confirming that electronically filed Form 1040 for tax year 2006 was received by IRS [Count 17]</p>		
105	<p>SBBT record - “Inquiry Screen” for taxpayer Maria Santos showing SBBT approved Jena’s issuance of SBBT loan check payable to Santos in amount of \$9,100.05 [Count 17]</p>		

Exhibit	Description	Offered	Admitted
106	SBBT check for \$9,100.05 dated 1-30-07 in connection with refund anticipation loan by SBBT to taxpayer Maria Santos - check stamped deposited on 1-31-07 into Wachovia Bank account # 20000-1920-0019 [Count 17]		
107	SBBT records showing IRS Form 8453 and IRS Form 1040 submitted to SBBT relating to taxpayer Jesus Mancillas (J.M.) with a false IRS Form W-2 and other false information [Count 18]		
108	IRS transcript for taxpayer Jesus Mancillas confirming that electronically filed Form 1040 for tax year 2006 was received by IRS [Count 18]		
109	SBBT record - "Inquiry Screen" for taxpayer Jesus Mancillas showing SBBT approved Jena's issuance of SBBT loan check payable to Mancillas in amount of \$9,258.05 [Count 18]		
110	SBBT check for \$9,258.05 dated 1-30-07 in connection with refund anticipation loan by SBBT to taxpayer Jesus Mancillas - check stamped deposited on 1-30-07 into Wachovia Bank account # 20000-1920-0022 [Count 18]		
111	SBBT records showing IRS Form 8453 and IRS Form 1040 submitted to SBBT relating to taxpayer Petra Rios (P.R.) with a false IRS Form W-2 and other false information [Count 19]		
112	IRS transcript for taxpayer Petra Rios confirming that electronically filed Form 1040 for tax year 2006 was received by IRS [Count 19]		
113	SBBT record - "Inquiry Screen" for taxpayer Petra Rios showing SBBT approved Jena's issuance of SBBT loan check payable to Rios in amount of \$9,258.05 [Count 19]		

Exhibit	Description	Offered	Admitted
114	<p>SBBT check for \$9,258.05 dated 2-1-07 in connection with refund anticipation loan by SBBT to taxpayer Petra Rios - check stamped deposited on 2-2-07 into Wachovia Bank account # 20000-1920-0019 [Count 19]</p>		
115	<p>SBBT records showing IRS Form 8453 and IRS Form 1040 submitted to SBBT relating to taxpayer Felix Reyes (F.R.) with a false IRS Form W-2 and other false information [Count 20]</p>		
116	<p>IRS transcript for taxpayer Felix Reyes confirming that electronically filed Form 1040 for tax year 2006 was received by IRS [Count 20]</p>		
117	<p>SBBT record - “Inquiry Screen” for taxpayer Felix Reyes showing SBBT approved Jena’s issuance of SBBT loan check payable to Reyes in amount of \$8,707.05 [Count 20]</p>		
118	<p>SBBT check for \$8,707.05 dated 2-1-07 in connection with refund anticipation loan by SBBT to taxpayer Felix Reyes - check stamped deposited on 2-2-07 into Wachovia Bank account # 20000-1920-0019 [Count 20]</p>		
119	<p>SBBT records showing IRS Form 8453 and IRS Form 1040 submitted to SBBT relating to taxpayer Alma Flores (A.F.) with a false IRS Form W-2 and other false information [Count 21]</p>		
120	<p>IRS transcript for taxpayer Alma Flores confirming that electronically filed Form 1040 for tax year 2006 was received by IRS [Count 21]</p>		
121	<p>SBBT record - “Inquiry Screen” for taxpayer Alma Flores showing SBBT approved Jena’s issuance of SBBT loan check payable to Flores in amount of \$8,416.05 [Count 21]</p>		

Exhibit	Description	Offered	Admitted
122	SBBT check for \$8,416.05 dated 2-2-07 in connection with refund anticipation loan by SBBT to taxpayer Alma Flores - check stamped deposited on 2-2-07 into Wachovia Bank account # 20000-1920-0022 [Count 21]		
123	SBBT records showing IRS Form 8453 and IRS Form 1040 submitted to SBBT relating to taxpayer Francisco Rodriguez (F.R.) with a false IRS Form W-2 and other false information [Count 22]		
124	IRS transcript for taxpayer Francisco Rodriguez confirming that electronically filed Form 1040 for tax year 2006 was received by IRS [Count 22]		
125	SBBT record - "Inquiry Screen" for taxpayer Francisco Rodriguez showing SBBT approved Jena's issuance of SBBT loan check payable to Rodriguez in amount of \$8,733.05 [Count 22]		
126	SBBT check for \$8,733.05 dated 2-2-07 in connection with refund anticipation loan by SBBT to taxpayer Francisco Rodriguez - check stamped deposited on 2-2-07 into Wachovia Bank account # 20000-1920-0022 [Count 22]		
127	SBBT records showing IRS Form 8453 and IRS Form 1040 submitted to SBBT relating to taxpayer Delores Manuel Soriano (D.M.S.) with a false IRS Form W-2 and other false information [Count 23]		
128	IRS transcript for taxpayer Delores Manuel Soriano confirming that electronically filed Form 1040 for tax year 2006 was received by IRS [Count 23]		
129	SBBT record - "Inquiry Screen" for taxpayer Delores Manuel Soriano showing SBBT approved Jena's issuance of SBBT loan check payable to Soriano in amount of \$8,878.05 [Count 23]		

Exhibit	Description	Offered	Admitted
130	SBBT check for \$8,878.05 dated 2-2-07 in connection with refund anticipation loan by SBBT to taxpayer Delores Manuel Soriano - check stamped deposited on 2-5-07 into Wachovia Bank account # 20000-1920-0022 [Count 23]		
131	SBBT records showing IRS Form 8453 and IRS Form 1040 submitted to SBBT relating to taxpayer Antonia De Rodriguez (A.D.R.) with a false IRS Form W-2 and other false information [Count 24]		
132	IRS transcript for taxpayer Antonia De Rodriguez confirming that electronically filed Form 1040 for tax year 2006 was received by IRS [Count 24]		
133	SBBT record - "Inquiry Screen" for taxpayer Antonia De Rodriguez showing SBBT approved Jena's issuance of SBBT loan check payable to De Rodriguez in amount of \$8,636.05 [Count 24]		
134	SBBT check for \$8,636.05 dated 2-2-07 in connection with refund anticipation loan by SBBT to taxpayer Antonia De Rodriguez - check stamped deposited on 2-5-07 into Wachovia Bank account # 20000-1920-0022 [Count 24]		
135	SBBT records showing IRS Form 8453 and IRS Form 1040 submitted to SBBT relating to taxpayer Martin Vega (M.V.) with a false IRS Form W-2 and other false information [Count 25]		
136	IRS transcript for taxpayer Martin Vega confirming that electronically filed Form 1040 for tax year 2006 was received by IRS [Count 25]		
137	SBBT record - "Inquiry Screen" for taxpayer Martin Vega showing SBBT approved Jena's issuance of SBBT loan check payable to Vega in amount of \$9,105.05 [Count 25]		

Exhibit	Description	Offered	Admitted
138	<p>SBBT check for \$9,105.05 dated 2-2-07 in connection with refund anticipation loan by SBBT to taxpayer Martin Vega - check stamped deposited on 2-5-07 into Wachovia Bank account # 20000-1920-0022 [Count 25]</p>		
139	<p>WMC Mortgage Corp. record - Uniform Residential Loan Application, signed by Herbert Jena on 2-7-07, submitted in connection with a \$400,000 loan for the purchase of 2345 Maidens Castle Drive, The Colony, Texas, listing cash assets at Wachovia bank accounts totaling \$220,000 [Counts 8-25]</p>		
140	<p>WMC Mortgage Corp. record - Wachovia checking account statement for Jena's business acct. number 20000-1920-0022, covering period 12-30-06 through 1-31-07 which was submitted on behalf of Herbert Jena in support of his \$400,000 loan application, included in this statement are three counter deposits totaling \$42,024 of five checks alleged in Counts 10, 13, 14, 15, and 18 [Counts 8-25]</p>		
141	<p>WMC Mortgage Corp. record - Wachovia checking account statement for Jena's business acct. number 20000-1920-0022, covering period 2-1-07 through 2-28-07 which was submitted on behalf of Herbert Jena in support of his \$400,000 loan application, included in this statement are two counter deposits totaling \$43,768 of five checks which alleged in Counts 21, 22, 23, 24, and 25 [Counts 8-25]</p>		
142	<p>Attorney Josh Ungerman's Interview Notes dated 4-5-07 relating to Ungerman's initial interview of Herbert Jena regarding possible legal representation [Count 26]</p>		

Exhibit	Description	Offered	Admitted
143	Email from attorney Ungerman, dated 4-6-07, which states that Jena representation is a matter that involves the possibility of criminal charges [Count 26]		
144	Engagement Letter, dated 4-6-07, signed by attorney Ungerman and also signed by Herbert Jena on 4-11-07 in which Jena agrees to pay an initial retainer of \$25,000 to law firm [Count 26]		
145	Law firm billing records relating to Herbert Jena Statement date: 4-22-07 covers legal work from 4-11-07 to 4-18-07 [Count 26]		
146	Law firm billing records relating to Herbert Jena Statement date: 5-20-07 covers legal work from 4-23-07 through 5-18-07 [Count 26]		
147	Law firm billing records relating to Herbert Jena Statement date: 6-20-07 covers legal work from 5-21-07 through 6-20-07 [Count 26]		
148	Employment Application of Roxanne Capetillo, dated 12-8-06, for a position with Montfort Wireless, Tax Service and Gift Shop, provided by Herbert Jena to law firm [Count 26]		
149	Employee Termination Letter of Roxanne Capetillo, dated 1-20-07 , in which Capetillo was terminated from Montfort Tax Service for “Fraud” - this letter also states that copies of verbal warnings to Capetillo on 1-6-07 and 1-13-07 are in her personnel file, this letter was provided by Jena to the law firm [Count 26]		

Exhibit	Description	Offered	Admitted
150	Employee Termination Letter of Nancy Munoz, dated 2-6-07 , in which Munoz was terminated from Montfort Tax Service for “Fraud” - this letter also states that copies of verbal warnings to Munoz on 1-6-07, 1-13-07, 1-20-07, and 1-27-07 are in her personnel file, this letter was provided by Jena to the law firm [Count 26]		
151	Employee Termination Letter of Deisi Mariscal, dated 3-13-07 , in which Mariscal was terminated from Montfort Tax Service for “Fraud” - this letter also states that copies of verbal warnings to Mariscal on 2-27-07, 3-3-07, 3-10-07, and 3-17-07 are in his personnel file, this letter was provided by Jena to the law firm [Count 26]		
152	Montfort Tax Service training meeting minutes dated 12-30-06 - Fort Worth stating the among those present was Herbert Jena, Kudzai Mangoma, Kara Garner, this version of these minutes does not contain the phrase “No Transmitting of Files, Only Don and Herbert Will Transmit” - these and several other meeting minutes were provided by Jena to the law firm [Count 26]		
153	Montfort Tax Service training meeting minutes dated 12-30-06 - Fort Worth stating the among those present was Herbert Jena, Kudzai Mangoma, Kara Garner, this copy of these particular minutes was prepared by Kara Garner and does include the statement - “No Transmitting of Files, Only Don and Herbert Will Transmit” [Count 26]		
154	Montfort Tax Service training meeting minutes dated 12-31-06 - Dallas stating the among those present was Herbert Jena, Kudzai Mangoma, Kara Garner, this version of these minutes does not contain the phrase “No Transmitting of Files, Only Don and Herbert Will Transmit” - these and several other meeting minutes were provided by Jena to the law firm [Count 26]		

Exhibit	Description	Offered	Admitted
155	Montfort Tax Service training meeting minutes dated 12-31-06 - Dallas stating the among those present was Herbert Jena, Kudzai Mangoma, Kara Garner, this copy of these particular minutes was prepared by Kara Garner and does include the statement - “No Transmitting of Files, Only Don and Herbert Will Transmit” [Count 26]		
156	All personnel records of employee Nancy Munoz which Jena provide to law firm [Count 26]		
157	Photo Line-up , dated 3-4-08, initialed by J.J. (Jessica Jackson - Count 4 taxpayer) who selected defendant Jena		
158	Note from law firm files - “ATT Nathan Aviles Here are the paper work- Thanks Herbert Jena” [Count 26]		
159	Entry of Appearance of Counsel form, signed by attorney Sarah Wirsky and filed on 6-7-07 [Count 26]		
160	Letter, dated 6-22-07, from attorney Sarah Wirsky to prosecutor Jeff Ansley informing Ansley that Wirsky is providing Ansley with copies of scanned documents which Jena provided to the law firm [Count 26]		
161	CD-Rom's (2) containing documents provided by attorney Wirsky to prosecutor Ansley on 6-22-07 [Count 26]		
162	Email, dated 4-11-07, from Kara Garner to Herbert Jena containing type-written training minutes [Count 26]		
163	Employee Termination Letter of Roxanne Capetillo, dated 4-9-07 , in which Capetillo was terminated from Montfort Tax Service for “Fraud” - Herbert Jena asked Kara Garner to prepare this letter on 4-9-07 [Count 26]		

Exhibit	Description	Offered	Admitted
164	Employee Termination Letter of Nancy Munoz, dated 4-9-07 , in which Munoz was terminated from Montfort Tax Service for “Fraud” - Herbert Jena asked Kara Garner to prepare this letter on 4-9-07 [Count 26]		
165	Employee Termination Letter of Deisi Mariscal, dated 4-9-07 , in which Mariscal was terminated from Montfort Tax Service for “Fraud” - Herbert Jena asked Kara Garner to prepare this letter on 4-9-07 [Count 26]		
166	Montfort Tax Service training meeting minutes dated 2-11-07 - Dallas stating the among those present was Herbert Jena, Kudzai Mangoma, Kara Garner, this copy of these particular minutes was prepared by Kara Garner and does include the statement - “No Transmitting of Files, Only Don and Herbert Will Transmit” [Count 26]		
167	Montfort Tax Service training meeting minutes dated 2-11-07 - Fort Worth stating the among those present was Herbert Jena, Kudzai Mangoma, Kara Garner, this copy of these particular minutes was prepared by Kara Garner and does include the statement - “No Transmitting of Files, Only Don and Herbert Will Transmit” [Count 26]		
168	Inventory Listing of Computer Evidence Seized Search location: 856 George Street, Lantana, TX Date: 9-14-07 Listed: six (6) items seized		
169	Retail Purchase Agreement (Sewell Hummer) 2007 Hummer H2 - sales price \$77,361 purchaser Herbert Jena		
170	Photo - 2007 Hummer purchased by Herbert Jena		
171	Application for Certificate of Title - 2007 Hummer dated 1-31-07, signed by Herbert Jena		

Exhibit	Description	Offered	Admitted
172	Summary Chart - showing source of funds used by Jena for down payments on purchase of 2007 Hummer H2 and 2003 Mercedes S430		
173	Commission Sheet - listing the formula used to calculate the amount of commission paid by Jena to his tax preparers		
174	Invoice and Form 1040 found at Kara Garner's house (top page marked "Sample") with phone and fuel tax credits identical to the credits used in many other 1040 tax return filed by Jena's employees		
175	Reserved		
176	Summary of Files and Modification Dates relating to computer analysis of Kara Garner's computer prepared by SA Paul Shanks- this summary shows that several Montfort Tax Service training minutes were prepared on Kara Garner's computer on 4-11-07		
177	SBBT Demand Notice - Past Due Loan, 2-2-07, this notice was sent to taxpayer who received SBBT loan based on fraudulently filed tax return		
178	Summary Chart - EFIN's assigned to Herbert Jena and later used to file 1681 tax returns		
179	Summary Chart - Tax Returns by Preparer for 2006 Tax Year		
180	Summary Chart - Analysis of Fuel Credit Numbers on Form 4136 for 2006 Tax Year		
181	Summary Chart - Analysis of Phone Credit Numbers on Form 8913 for 2006 Tax Year		
182	Summary Chart - Analysis of Loss to SBBT relating to 18 checks cashed (counts 8-25)		
183	Summary Chart - all Jena prepared tax returns claiming either phone or fuel credit		

Exhibit	Description	Offered	Admitted
184	Summary Chart - Jena Phone Credit Returns broken down by percentage for 2006 tax year		
185	Summary Chart - U.S. Phone Credit Returns broken down by percentage for 2006 tax year		
186	Summary Chart - Jena Fuel Returns broken down by percentage for 2006 tax year		
187	Summary Chart - U.S. Fuel Credit Returns broken down by percentage for 2006 tax year		
188	Summary Chart - Preparation Fees Paid to Jena by SBBT for 2006 tax year		
189	Summary Chart - RALDEPT deposits into nine (9) of Jena's business accounts at Wachovia bank		
190	Summary Chart - 17 Wachovia Bank accounts used by Jena (Dec 2006 - Jul 2007)		
191	Summary Chart - showing the source and use of funds for accounts related to SBBT checks (alleged in Counts 8-25) when only Jena had control of these accounts (through 2-14-07)		
192	Summary Chart - analysis showing source and use of funds in Jena's Wachovia Bank account ending in 0019 and 0022, including 18 SBBT checks alleged in Counts 8-25		
193	Summary Chart - analysis showing source and use of funds in Jena's Wachovia Bank account ending in 0019 and 0022, not including 18 SBBT checks alleged in Counts 8-25		
194	Summary Chart - showing source of funds Jena used to purchase new 2007 Hummer H2 in January 2007 for \$77,361 from Sewell Hummer		

Exhibit	Description	Offered	Admitted
195	<p>Summary Chart - analysis of Montfort Tax Service returns filed (1681) showing the percentage of these returns which included fuel or phone tax credits compared with the IRS national average as to the percentage of tax returns filed with fuel and phone tax credits</p>		
196	<p>Summary Chart - showing that 18 checks (checks also alleged in bank fraud counts) totaling over \$153,269, were deposited into Jena's Wachovia bank account that Jena used in support of his request for a \$400,000 home loan in February 2007</p>		
197	<p>Flow Chart - explaining the roles of Montfort Tax, the IRS, and SBBT in funding RAL checks to taxpayers</p>		
198	<p>Summary Chart - showing the gallons of fuel claimed on IRS form 4136 (fuel claim) for several taxpayers whose returns were filed with defendant Jena's social security number listed as the preparer's SSN (depicting gallons claimed in tax return exhibits 42, 46, 50, 53, 59, 199, 201, 205, 207, 209, 211, 215, 217, 219, 223, and 225) Also comparing fuel costs claimed with national average fuel cost @ \$2.50 gallon and showing taxpayer gross income required if gallons claimed were true</p>		
199	<p>Electronically Filed IRS Form 1040 for taxpayer Theresa Becnel for tax year 2006 which included a form 4136 (fuel claim) for 4,500 gallons "off highway business use" - this \$824.00 fuel claim was listed on line 70 of the 1040 and this return was filed with Herbert Jena's social security number listed as the preparer's SSN</p>		
200	<p>IRS transcript for taxpayer Theresa Becnel confirming that electronically filed Form 1040 for tax year 2006 was received by IRS</p>		

Exhibit	Description	Offered	Admitted
201	Electronically Filed IRS Form 1040 for taxpayer Maria E. Benetiz for tax year 2006 which included a form 4136 (fuel claim) for 7,000 gallons “off highway business use” - this \$1281.00 fuel claim was listed on line 70 of the 1040 and this return was filed with Herbert Jena’s social security number listed as the preparer’s SSN		
202	IRS transcript for taxpayer Maria E. Benetiz Becnel confirming that electronically filed Form 1040 for tax year 2006 was received by IRS		
203	Electronically Filed IRS Form 1040 for taxpayer Kristine Castro for tax year 2006 which included a form 8913 (federal telephone excise tax paid) - this claim for \$812.00 phone credit was listed on line 71 of the 1040 and this return was filed with Herbert Jena’s social security number listed as the preparer’s SSN		
204	IRS transcript for taxpayer Kristine Castro confirming that electronically filed Form 1040 for tax year 2006 was received by IRS		
205	Electronically Filed IRS Form 1040 for taxpayer Juan Contreras for tax year 2006 which included a form 4136 (fuel claim) for 10,000 gallons “off highway business use” - a \$2,009.00 fuel claim was listed on line 70 of the 1040 and this return was filed with Herbert Jena’s social security number listed as the preparer’s SSN		
206	IRS transcript for taxpayer Juan Contreras confirming that electronically filed Form 1040 for tax year 2006 was received by IRS		

Exhibit	Description	Offered	Admitted
207	Electronically Filed IRS Form 1040 for taxpayer Terri Greer for tax year 2006 which included: a form 4136 (fuel claim) for 15,000 gallons “off highway business use” - a \$2,745.00 fuel claim listed on line 70 of the 1040, and a form 8913 (federal telephone excise tax paid) - this claim for \$1,480.00 phone credit listed on line 71 of the 1040 - this return was filed with Herbert Jena’s social security number listed as the preparer’s SSN		
208	IRS transcript for taxpayer Terri Greer confirming that electronically filed Form 1040 for tax year 2006 was received by IRS		
209	Electronically Filed IRS Form 1040 for taxpayer Jamie Greer for tax year 2006 which included: a form 4136 (fuel claim) for 12,000 gallons “off highway business use” - a \$2,196.00 fuel claim listed on line 70 of the 1040, and a form 8913 (federal telephone excise tax paid) - this claim for \$812.00 phone credit listed on line 71 of the 1040 - this return was filed with Herbert Jena’s social security number listed as the preparer’s SSN		
210	IRS transcript for taxpayer Jamie Greer confirming that electronically filed Form 1040 for tax year 2006 was received by IRS		
211	Electronically Filed IRS Form 1040 for taxpayer Sol Lee for tax year 2006 which included a form 4136 (fuel claim) for 5,000 gallons “off highway business use” - this \$915.00 fuel claim was listed on line 70 of the 1040 and this return was filed with Herbert Jena’s social security number listed as the preparer’s SSN		
212	IRS transcript for taxpayer Sol Lee confirming that electronically filed Form 1040 for tax year 2006 was received by IRS		

Exhibit	Description	Offered	Admitted
213	Electronically Filed IRS Form 1040 for taxpayer Marisol Luna for tax year 2006 which included a form 8913 (federal telephone excise tax paid) - this claim for \$812.00 phone credit was listed on line 71 of the 1040 and this return was filed with Herbert Jena's social security number listed as the preparer's SSN		
214	IRS transcript for taxpayer Marisol Luna confirming that electronically filed Form 1040 for tax year 2006 was received by IRS		
215	Electronically Filed IRS Form 1040 for taxpayer Bernadette Mireles-Martinez for tax year 2006 which included: a form 4136 (fuel claim) for 8,000 gallons "off highway business use" - a \$1,464.00 fuel claim listed on line 70 of the 1040, and a form 8913 (federal telephone excise tax paid) - this claim for \$812.00 phone credit listed on line 71 of the 1040 - this return was filed with Herbert Jena's social security number listed as the preparer's SSN		
216	IRS transcript for taxpayer Bernadette Mireles-Martinez confirming that electronically filed Form 1040 for tax year 2006 was received by IRS		
217	Electronically Filed IRS Form 1040 for taxpayer Jesus Munoz for tax year 2006 which included a form 4136 (fuel claim) for 65,000 gallons "off highway business use" - this \$11,895.00 fuel claim was listed on line 70 of the 1040 and this return was filed with Herbert Jena's social security number listed as the preparer's SSN		
218	IRS transcript for taxpayer Jesus Munoz confirming that electronically filed Form 1040 for tax year 2006 was received by IRS		

Exhibit	Description	Offered	Admitted
219	Electronically Filed IRS Form 1040 for taxpayer Veronica Perez for tax year 2006 which included a form 4136 (fuel claim) for 15,500 gallons “off highway business use” - this \$2,837.00 fuel claim was listed on line 70 of the 1040 and this return was filed with Herbert Jena’s social security number listed as the preparer’s SSN		
220	IRS transcript for taxpayer Veronica Perez confirming that electronically filed Form 1040 for tax year 2006 was received by IRS		
221	Electronically Filed IRS Form 1040 for taxpayer Vicente Soria for tax year 2006 which included a form 8913 (federal telephone excise tax paid) - this claim for \$812.00 phone credit was listed on line 71 of the 1040 and this return was filed with Herbert Jena’s social security number listed as the preparer’s SSN		
222	IRS transcript for taxpayer Vincenta Soria confirming that electronically filed Form 1040 for tax year 2006 was received by IRS		
223	Electronically Filed IRS Form 1040 for taxpayer Kelli Valenzuela for tax year 2006 which included a form 4136 (fuel claim) for 7,000 gallons “off highway business use” - this \$1,281.00 fuel claim was listed on line 70 of the 1040 and this return was filed with Herbert Jena’s social security number listed as the preparer’s SSN		
224	IRS transcript for taxpayer Kelli Valenzuela confirming that electronically filed Form 1040 for tax year 2006 was received by IRS		

Exhibit	Description	Offered	Admitted
225	Electronically Filed IRS Form 1040 for taxpayer Mayra G. Villegas for tax year 2006 which included: a form 4136 (fuel claim) for 15,000 gallons “off highway business use” - a \$2,745.00 fuel claim listed on line 70 of the 1040, and a form 8913 (federal telephone excise tax paid) - this claim for \$812.00 phone credit listed on line 71 of the 1040 - this return was filed with Herbert Jena’s social security number listed as the preparer’s SSN		
226	IRS transcript for taxpayer Mayra G. Villegas confirming that electronically filed Form 1040 for tax year 2006 was received by IRS		
227	Reserved		
228	Wachovia Bank records - acct. # 20000-2988-1994 Herbert Jena Step N Eat		
229	Wachovia Bank records - acct. # 20000-1920-0019 Montfort Tax Service Wireless (South Freeway off)		
230	Wachovia Bank records - acct. # 20000-1920-0022 Montfort Tax Service Wireless (Rosedale)		
231	Wachovia Bank records - acct. # 30000-8305-8681 Montfort Tax Service Wireless		
232	Wachovia Bank records - acct. # 20000-2988-1868 Montfort Tax Service Wireless, Herbert Jena, Sole Proprietor		
233	Wachovia Bank records - acct. # 20000-2988-1871 Montfort Tax Service Wireless, Herbert Jena, Sole Proprietor		
234	Wachovia Bank records - acct. # 20000-2988-1952 Herbert Jena, Jena Postal Centre		
235	Wachovia Bank records - acct. # 20000-2988-3329 Radio Sharp Wireless		

Exhibit	Description	Offered	Admitted
236	Wachovia Bank records - acct. # 20000-2988-3361 Radio Sharp Wireless		
237	Wachovia Bank records - acct. # 20000-2988-3374 Radio Sharp Wireless		
238	Wachovia Bank records - acct. # 30000-8158-4801 Radio Sharp Wireless		
239	Wachovia Bank records - acct. # 30000-8158-4814 Radio Sharp Wireless		
240	Wachovia Bank records - acct. # 30000-7519-4566 Montfort Tax Service Wireless		
241	Wachovia Bank records - acct. # 30000-7519-4676 Montfort Tax Service Wireless		
242	Wachovia Bank records - acct. # 20000-1919-9670 Montfort Tax Service Wireless, Herbert Jena, Sole Proprietor		
243	Wachovia Bank records - acct. # 20000-1919-9900 Montfort Tax Service Wireless		
244	Wachovia Bank records - acct. # 20000-1919-9997 Montfort Tax Service Wireless		
245	Payment Agreement between Universal Tax Systems and Montfort Tax Service for TaxWise software products, signed on 8-30-06 by Herbert Jena, owner		
246	Business record, Walmart, showing that 12 taxpayers who listed on a Form W-2 that they worked for Walmart were never employed at Walmart [Counts 8-25]		
247	Business record, Lowes, showing that 3 taxpayers who listed on a Form W-2 that they worked for Lowes were never employed at Lowes [Counts 8-25]		

Exhibit	Description	Offered	Admitted
248	Business record, Home Depot, confirming that 3 taxpayers who listed on a Form W-2 that they worked for Home Depot were never employed at Home Depot [Counts 8-25]		
249	United States Postal Service address inquiry, the result of the inquiry showed that 17 of the 18 addresses listed on the 18 income tax returns related to Counts 8-25 showed "no valid address" for the address on the tax return [Counts 8-25]		
250	Montfort Tax Service training meeting minutes dated 2-11-07 - Fort Worth stating the among those present was Herbert Jena, Kudzai Mangoma, Kara Garner, this version of these minutes does include the statement - "No Transmitting of Files, Only Don and Herbert Will Transmit" - these and several other meeting minutes were provided by Jena to the law firm [Count 26]		
251	Montfort Tax Service training meeting minutes dated 2-11-07 - Dallas stating the among those present was Herbert Jena, Kudzai Mangoma, Kara Garner, this version of these minutes does include the statement - "No Transmitting of Files, Only Don and Herbert Will Transmit" - these and several other meeting minutes were provided by Jena to the law firm [Count 26]		
252	IRS Instructions for Form 4136 (fuel credit form)		
253	IRS Instructions for Form 8913 (phone credit form)		

||||||||||||||||||||||||||||ONLY SIGNATURES FOLLOW||||||||||||||||||||||||

Respectfully submitted,

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UNITED STATES ATTORNEY

S/ David L. Jarvis

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CERTIFICATE OF SERVICE

I hereby certify that on March 26, 2010 I electronically filed the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the following attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means:

J. Craig Jett, Attorney for defendant Jena

S/ David L. Jarvis

DAVID L. JARVIS
Assistant United States Attorney